

## Introduced by Senator Aanestad

February 22, 2005

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An act to amend Section 13263 of the Water Code, relating to water.

## LEGISLATIVE COUNSEL'S DIGEST

SB 623, as introduced, Aanestad. Waste discharge requirements.

Existing law, the Porter-Cologne Water Quality Control Act, authorizes a California regional water quality control board to prescribe waste discharge requirements that implement any relevant water quality control plan and take into consideration specified factors.

This bill would make technical, nonsubstantive changes to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 13263 of the Water Code is amended to  
2 read:  
3 13263. (a) The regional board, after any necessary hearing,  
4 shall prescribe requirements as to the nature of any proposed  
5 discharge, existing discharge, or material change in an existing  
6 discharge, except discharges into a community sewer system,  
7 with relation to the conditions existing in the disposal area or  
8 receiving waters upon, or into which, the discharge is made or  
9 proposed. The requirements shall implement any relevant water  
10 quality control plans that have been adopted, and shall take into  
11 consideration the beneficial uses to be protected, the water

1 quality objectives reasonably required for that purpose, other  
2 waste discharges, the need to prevent nuisance, and the  
3 provisions of Section 13241.

4 (b) A regional board, in prescribing requirements, need not  
5 authorize the utilization of the full waste assimilation capacities  
6 of the receiving waters.

7 (c) The requirements may contain a time schedule, subject to  
8 revision in the discretion of the board.

9 (d) The regional board may prescribe requirements although  
10 no discharge report has been filed.

11 (e) Upon application by any affected person, or on its own  
12 motion, the regional board may review and revise requirements.  
13 All requirements shall be reviewed periodically.

14 (f) The regional board shall notify, in writing, the person  
15 making or proposing the discharge or the change therein of the  
16 discharge requirements to be met. After receipt of the notice, the  
17 person so notified shall provide adequate means to meet the  
18 requirements.

19 (g) No discharge of waste into the waters of the state, whether  
20 or not the discharge is made pursuant to waste discharge  
21 requirements, shall create a vested right to continue the  
22 discharge. All discharges of waste into waters of the state are  
23 privileges, not rights.

24 (h) The regional board may incorporate the requirements  
25 prescribed pursuant to this section into a master recycling permit  
26 for either a supplier or distributor, or both, of recycled water.

27 (i) The state board or a regional board may prescribe general  
28 waste discharge requirements for a category of discharges if the  
29 state board or that regional board finds or determines that all of  
30 the following criteria apply to the discharges in that category:

31 (1) The discharges are produced by the same or similar  
32 operations.

33 (2) The discharges involve the same or similar types of waste.

34 (3) The discharges require the same or similar treatment  
35 standards.

36 (4) The discharges are more appropriately regulated under  
37 general discharge requirements than individual discharge  
38 requirements.

39 (j) The state board, after any necessary hearing, may prescribe  
40 waste discharge requirements in accordance with this section.

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